

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 3:08CR58-HTW-LRA

DEON C. GIBSON

ORDER

This matter came before the Court on August 22, 2008 for a status conference. Defendant Gibson was present, and was represented by Assistant Federal Defender Omodare Jupiter. The government was represented by Assistant United States Attorney Jerry Rushing.

The parties indicated that there are four motions pending before the Court in this matter. The government requested additional time to respond to the motions and defense counsel indicated that one additional motion may be filed on behalf of Mr. Gibson. The government requested a trial date before September 14, 2008 as it believed that this would allay any concerns with regard to Mr. Gibson's rights under the Speedy Trial Act. Defendant made a request, *ore tenus*, that the Court set a date to litigate motions in September, 2008 and that the trial be set in October. Defense counsel indicated that Mr. Gibson was willing to waive any Speedy Trial rights with respect to the period between August 22, 2008 and the trial date. The Court questioned Defendant Gibson directly with regard to this matter. Defendant acknowledged that he understood his right to a speedy trial , and that he agreed to waive any such right with respect to the period between August 22, 2008 and October 6, 2008. It is, accordingly,

ORDERED AND ADJUDGED that this matter is set for jury trial on October 6, 2008. The

court finds that a continuance of this matter is in the best interest of the parties, the best interests of the Court, and the ends of justice served by taking this action outweighs the best interest of the public and the defendant to a speedy trial. The Court further finds that the Defendant understands his right to Speedy Trial, and waives such right with respect to the period between August 22, 2008 and October 6, 2008.

IT IS FURTHER ORDERED AND ADJUDGED that the government shall respond to all pending motions by August 29, 2008; Defendant Gibson may file responses by September 2, 2008.

IT IS FURTHER ORDERED AND ADJUDGED that a status conference will be held on September 8, 2008 at 8:30 a.m. to determine the status of all pretrial motions, and to schedule any motion hearings.

SO ORDERED on this the 29th day of August, 2008.

s/ HENRY T. WINGATE

UNITED STATES DISTRICT JUDGE